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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Sixth session

SUMMARY RECORD OF THE 26th MEETING

Held at the Palais des Nations, Geneva
on Friday, 13 December 1991, at 10 a.m.

Chairman: Mr. ALSTON

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Closure of the session

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The meeting was called to order at 10.15 a.m.

REPORT OF THE COMMITEE TO THE ECONOMIC AND SOCIAL COUNCIL (agenda item 11) (continued) (E/C.12/1991/CRP.1 and Add.1-11; E/C.12/1991/CRP.2 and Add.1 and 2; E/C.12/1991/CRP.3 and Add.1; E/C.12/1991/CRP.4)

Consideration of reports submitted by States Parties in accordance with articles 16 and 17 of the Covenant

1. The CHAIRMAN invited the Committee to continue the consideration of its draft report.

Document E/C.12/1991/CRP.1/Add.1 (continued)

Paragraph 31

2. Mr. MRATCHKOV, Rapporteur, read out a proposed amendment to paragraph 31 which would take note of the questions put to the delegation of Afghanistan at the Committee's 4th meeting (E/C.12/1991/SR.4), as follows: "Members of the Committee wished to receive more information on the obstacles to the enjoyment of economic, social and cultural rights of women; the protection of their physical and mental health and, particularly, if the practice of female circumcision of women still existed in Afghanistan and, if so, what were the measures being taken by the Government towards the elimination of that practice. They also asked what the incidence of AIDS was and if any programmes existed to combat that disease."

3. Mr. WIMER ZAMBRANO said that he would prefer that reference should be made to "Committee" rather than to "Members of the Committee".

4. The CHAIRMAN considered that in that particular case it would be appropriate to say "Members of the Committee" as the intention was to reflect the views of a number of members.

5. Following a discussion on terminology, in which the CHAIRMAN, Mr. WIMER ZAMBRANO and Mrs. BONOAN DANDAN took part, Mr. SIMMA proposed that the words "female circumcision" should be replaced by "genital mutilation".

6. Paragraph 31, as amended, was adopted.

7. Document E/C.12/1991/CRP.1/Add.1, as a whole, as amended, was adopted.

Document E/C.12/1991/CRP.1/Add.2

Paragraphs 1 to 5

8. Paragraphs 1 to 5 were adopted.

Paragraph 6

9. Mr. SIMMA asked whether there might not be an error concerning the number of work permits issued by the Syrian authorities to Arab citizens and foreign workers in 1989; the figures quoted seemed too low.

10. The CHAIRMAN asked the Secretariat to verify the figures.

11. Paragraph 6 was adopted on that understanding.

Paragraphs 7 to 36

12. Paragraphs 7 to 36 were adopted.

Paragraph 37

13. Mr. MARCHAN ROMERO considered that it was not enough for the Committee to say that "the structure of the Baath party, the situation of women in the event of divorce ... had particularly drawn its attention" (first sentence of para. 37), since those issues had been of great concern to the Committee as the second and third sentences of paragraph 37 made clear.

14. The CHAIRMAN, with a view to taking that comment into account, proposed that paragraph 37 should be recast by placing the second and third sentences of the current text before the listing contained in the first sentence. The new paragraph 37 would therefore read as follows: "In concluding its consideration of the second periodic report of the Syrian Arab Republic, the Committee noted that the information submitted in writing as well as the oral replies by the representative of the State party to the questions raised did not fully reflect the actual situation in the country in regard to the implementation of the Covenant. Some questions had not met with replies, whereas other replies were incomplete. This had been the case, inter alia, in respect of questions relating to: the structure of the Baath Party; the situation of women in the event of divorce, within the family and, more generally, in all fields in the life of the country; agrarian reform, housing policy; trade unions as well as to the right to strike." The last sentence of the paragraph would remain unchanged.

15. Paragraph 37, as amended, was adopted.

16. Document E/C.12/1991/CRP.1/Add.2 as a whole, as amended, was adopted.

Document E/C.12/1991/CRP.1/Add.3

Paragraphs 1 to 20

17. Paragraphs 1 to 20 were adopted.

Paragraph 21

18. Mr. SIMMA said that, according to the first sentence of the paragraph 60 per cent of Panamanians were using drugs. He recalled that the Panamanian representative had shown great surprise when that figure had been given. Mr. Simma proposed that his concern should be reflected in the paragraph.

19. Mr. KOUZNETSOV, supported by Mr. SIMMA, said that the figure was very high but that it included drug addicts as well as ordinary users. It would certainly be appropriate to note the concern of the Panamanian delegation.

20. Paragraph 22 was adopted on that understanding.

Paragraphs 23 to 44

21. Paragraphs 23 to 44 were adopted.

Paragraph 45

22. Mr. WIMER ZAMBRANO said that, in the Spanish text, the expression los menos privilegiados bordered on nonsense as it would imply that the bulk of the population were privileged. The phrase might therefore be replaced by, for example, los más vulnerables.

23. Paragraph 45 was adopted on that understanding.

Paragraph 46

24. Mr. SIMMA considered that the expression "It was noted that" at the beginning of the second sentence of the paragraph should be amended as the comment had been made by the representative of Panama and not by the Committee. The Committee could not note without investigating whether there was an alarmingly high rate of involvement of foreigners in that activity.

25. The CHAIRMAN suggested that the words "It was noted that" should be replaced by "Note was taken of information provided that".

26. Paragraph 46, as amended, was adopted.

27. Document E/C.12/1991/CRP.1/Add.3, as a whole, as amended, was adopted.

Document E/C.12/1991/CRP.1/Add.5 (continued)

Paragraph 14

28. The CHAIRMAN asked for the views of members of the Committee regarding the proposal made by Mrs. Ider at the 25th meeting to the effect that the fourth sentence of paragraph 14 should be worded as follows: "The right to culture and education and in particular the provision of free education, had been guaranteed for citizens within the financial possibilities of the State."

29. Mr. NENEMAN supported the proposal. In his view, the Democratic People's Republic of Korea had certainly made great efforts in the field of free education.

30. Mr. SIMMA agreed that there was no question that the country was making very substantial investments in culture and education and that, in that respect, it provided an example which many countries might follow. On the other hand, he considered that freedom of education was certainly not respected in that country. It was for that reason that he could not accept

the wording proposed by Mrs. Ider, namely, "The right to culture and education ... had been guaranteed for citizens". The sentence should be reworded to make it clear that the Committee did not approve all aspects of the educational system in the Democratic People's Republic of Korea.

31. The CHAIRMAN recalled that the end of paragraph 14 already expressed the concern of the Committee regarding freedom of education and expression. He proposed the following text for the fourth sentence of paragraph 14: "The Committee noted that, within financial possibilities, education had been provided free of charge for all."

32. Mr. SPARSIS proposed that, in the English text of the last sentence of paragraph 14, the words "in place" should be replaced by "existing".

33. Paragraph 14, as amended in the English text, was adopted.

34. Document E/C.12/1991/CRP.1/Add.5, as a whole, as amended, was adopted.

Document E/C.12/1991/CRP.1/Add.6

Paragraphs 1 to 3

35. Paragraphs 1 to 3 were adopted.

Paragraph 4

36. Mr. SIMMA asked whether there was any point in the Committee referring to the possible monistic character of the dual legislative system of Sweden. He therefore proposed that the phrase "whether the dual legislative system existing in Sweden was monistic" should be deleted.

37. Paragraph 4, as amended, was adopted.

Paragraphs 5 to 35

38. Paragraphs 5 to 35 were adopted.

Paragraph 36

39. Mrs. IDER proposed that the last sentence of the paragraph should be amended either by deleting the word "primary" or by replacing the word "including" by "in particular".

40. The CHAIRMAN suggested that the Committee should adopt the proposed second solution.

41. Paragraph 36, as amended, was adopted.

Paragraph 37

42. Paragraph 37 was adopted.

Paragraph 38

43. Mr. NENEMAN considered that the Committee should express its satisfaction at the action taken by Sweden, a country which might well be regarded as a model by other States. He therefore proposed that the words "with satisfaction" should be added after "noting".

44. Paragraph 38, as amended, was adopted.

45. Document E/C.12/1991/CRP.1/Add.6, as a whole, as amended, was adopted.

Document E/C.12/1991/CRP.1/Add.?

Paragraphs 1 and 2

46. Paragraphs 1 and 2 were adopted.

Paragraph 3

47. Mrs. JIMENEZ BUTRAGUEÑO proposed that, in the Spanish text, the word subida should be replaced by elevada, which would be more correct in the context.

48. Paragraph 3, as amended in the Spanish text, was adopted.

Paragraphs 4 to 11

49. Paragraphs 4 to 11 were adopted.

Paragraph 12

50. Mr. SIMMA said that the Committee had asked questions about the remuneration of teachers and that the Spanish delegation had provided a very detailed reply. That reply was not reflected in the report. The Secretariat should correct the oversight.

51. Mr. Simma's comment was noted.

Paragraphs 13 to 27

52. Paragraphs 13 to 27 were adopted.

Paragraph 28

53. Mrs. JIMENEZ BUTRAGUEÑO said that the law mentioned in the first sentence of the paragraph concerned mecenado so that patrocineo was not appropriate.

54. Mr. WIMER ZAMBRANO said that as the word patrocineo appeared twice in the same sentence it should be replaced by mecenado at the beginning of the sentence. Moreover, as the Catholic Church was the only Church in Spain, the word "Catholic" should be added after "Church" in the last sentence of the paragraph.

55. Paragraph 28, as amended, was adopted.

Paragraph 29

56. Mr. KONATE considered that it was an exaggeration to describe the written report of Spain as "disappointing".

57. The CHAIRMAN suggested that the adjective should be deleted.

58. Mr. MRATCHKOV, Rapporteur, objected that the Committee had found the report in question to be disappointing and that such a finding should not be passed over in silence. It could be expressed in more neutral terms, saying for example, that the written report was not satisfactory.

59. Mr. KONATE said that he would prefer a more objective term which would indicate that the Committee measured all reports by the same yardstick. It would be enough to say that the Committee had found the written report to be too succinct and therefore inadequate.

60. The CHAIRMAN said he understood that the Committee wished to adopt the last suggestion.

61. Mr. ALVAREZ VITA expressed the view that the wording of the first sentence of the paragraph gave the impression that the representatives of Spain had replied to all the questions raised orally by the Committee; that was not the case.

62. The CHAIRMAN thought that the simplest solution would be to delete the word "all"; he noted that the Committee endorsed that proposal.

63. Paragraph 29, as amended, was adopted.

Paragraph 30

64. Paragraph 30 was adopted.

Paragraph 31

65. Mr. SIMMA pointed out that the past tense rather than the present should be used in paragraphs 31 and 32, as in the rest of the Committee's report.

66. The CHAIRMAN requested the Secretariat to make the appropriate grammatical changes in the text of the two paragraphs in the different language versions, as needed.

67. Paragraph 31 was adopted.

Paragraph 32

68. Mr. KOUZNETSOV said that the expression "working conditions" was used incorrectly, as in paragraph 23; it was clear that the reference was to conditions concerning the recruitment of teachers in the private and public sectors.

69. The CHAIRMAN considered that the expression "employment conditions" would cover all aspects of the problem and would therefore be more appropriate; he requested the Secretariat to make the necessary changes in the different language versions.

70. Paragraph 32, as amended, was adopted.

Paragraph 33

71. MR. MARCHAN ROMERO proposed that the expression "with care and precision" should be deleted as it seemed superfluous and even out of place; it would be reasonable to expect that the Spanish Government would give careful consideration to the two points raised by the Committee.

72. The CHAIRMAN noted that the Committee agreed to that suggestion.

73. Mr. ALVAREZ VITA proposed to add the following text at the end of subparagraph (b): "[...articles 145 to 147 of the Copyright Law of 1989], the provisions of which were contrary to those of the Covenant".

74. The CHAIRMAN recalled that the Committee had not deemed it appropriate to accept a similar concept during its consideration of the draft concluding observations.

75. Mr. SIMMA said that, in the absence of an in-depth study, he hesitated to express a view on whether the law in question was incompatible with the provisions of the Covenant, unlike Mr. Alvarez Vita who had already expressed an opinion during the Committee's consideration of the report submitted by Spain although neither the representatives of the State nor indeed the other members of the Committee had supported him on that issue.

76. Mr. KONATE said that it was exactly because doubts remained on the subject that the Committee had requested the Spanish Government to consider the issue further and to reply in its next report. That having been said, he felt that it was useless to take a decision until more information was available.

77. Mr. ALVAREZ VITA considered that he had made his statement with full knowledge of the facts bearing in mind that Spanish was his mother tongue and culture and that he was also a lawyer. He insisted that his opinion should be reflected in the Committee's report even if it was not shared by any other member.

78. Mr. MRATCHKOV, Rapporteur, thought it would be preferable to find a middle way by, for example, inserting after the words, "the two issues stated below" the following text: "regarding the conformity of certain legal provisions with the Covenant".

79. The CHAIRMAN asked Mr. Alvarez Vita if he could accept the compromise solution proposed by the Rapporteur, bearing in mind that the Committee must adopt its concluding observations by consensus without prejudice to the right of every expert to give his opinion.

80. Mr. ALVAREZ VITA objected that the latest solution did not reflect his original proposal adequately.

81. The CHAIRMAN proposed that Mr. Alvarez Vita's proposal should be retained with appropriate drafting safeguards.

82. Mr. SIMMA considered that that would change nothing regarding the fundamental issue which was whether the members of the Committee could base themselves on the statements of a single member in order to reach a joint conclusion that the provisions in question were incompatible with those of the Covenant. It must be stated clearly that the opinion was that of a single expert.

83. Mr. ALVAREZ VITA accepted that reservation on condition that the Committee adopted his proposal as it was clearly not possible to reach a consensus.

84. The CHAIRMAN suggested adding the following phrase at the end of subparagraph (b): "which in the view of one member of the Committee raised questions as to the conformity of the provisions with the Covenant". He considered that the Committee would be prepared to adopt that solution.

85. Mr. SIMMA proposed to delete subparagraph (a). The representatives of Spain had confirmed during the consideration of the report submitted by that State that international law superseded national legislation in case of conflict between the two. The Spanish Constitution, in article 10, stipulated the primacy of international law, particularly that of the Covenant, and elsewhere it stipulated the status in the Spanish legal system of international instruments ratified by the country.

86. The CHAIRMAN took note that the members of the Committee accepted that proposal and that the appropriate drafting changes would be made in the paragraph under consideration.

87. Paragraph 33 was adopted on that basis.

Paragraph 34

88. Mr. ALVAREZ VITA said that "all of" should be deleted as in paragraph 29.

89. Mrs. JIMENEZ BUTRAGUEÑO corrected a grammatical error in the Spanish text of the paragraph.

90. Paragraph 34, as amended, was adopted.

91. Document E/C.12/1991/CRP.1/Add.8, as a whole, as amended, was adopted.

Document E/C.12/1991/CRP.1/Add.10

Paragraphs 1 to 22

92. Paragraphs 1 to 22 were adopted.

93. The CHAIRMAN recalled that the Committee had already, at its 25th meeting, provisionally adopted its concluding observations on the report of Colombia but that had not been mentioned in document CRP.1/Add.10. If there were no objections, he would take it that the Committee wished to confirm the adoption of those concluding observations (E/C.12/1991/WP.7).

94. Document E/C.12/1991/CRP.1/Add.10, supplemented by the concluding observations of the Committee (E/C.12/1991/WP.7), was adopted.

Consideration of additional information presented by States parties at the request of the Committee (E/C.12/1991/CRP.1/Add.7)

Paragraphs 1 to 4

95. Paragraphs 1 to 4 were adopted.

Paragraph 5

96. The CHAIRMAN asked whether the Committee approved the deletion of the words "in the absence of a representative of the State party concerned". On the one hand, the absence of the representative of Zaire had been due only to a misunderstanding and, on the other hand, the presence of a representative of the interested State party was not required for the consideration of additional information.

97. Paragraph 5, as amended, was adopted.

Paragraphs 6 and 7

98. Paragraphs 6 and 7 were adopted.

99. Mr. SIMMA proposed adding to the document under consideration a paragraph 8 reflecting the discussion which had led the Committee to adopt draft decision II in which it offered its advisory services to the Government of the Dominican Republic.

100. A paragraph 8 would be drafted accordingly.

101. Document E/C.12/1991/CRP.1/Add.7, as a whole, as amended, was adopted.

Specific issues discussed by the Committee (E/C.12/1991/CRP.4)

Paragraphs 1 to 7

102. Paragraphs 1 to 7 were adopted.

103. The CHAIRMAN proposed the addition of a paragraph 7 bis reading as follows: "At the conclusion of its discussion, the Committee decided to adopt the suggestion described in paragraph 5 above."

104. Paragraph 7 bis was adopted.

Paragraphs 8 to 14

105. Mr. SIMMA said that in paragraph 10 of the English text the word "interdependence" should replace "independence" in the eighth line.

106. Mrs. JIMENEZ BUTRAGUEÑO said that in the Spanish text of the document the paragraphs of part B had not been numbered.

107. The CHAIRMAN said that the errors pointed out by Mr. Simma and Mrs. Jiménez Butragueño would be corrected.

108. Document E/C.12/1991/CRP.4 was adopted on that basis.

Economic and social indicators (E/C.12/1991/CRP.1/Add.11)

109. The CHAIRMAN said that document CRP.1/Add.11, which summarized the discussions of the Committee on economic and social indicators, was not, strictly speaking, a Committee document; there was no need therefore to adopt it paragraph by paragraph.

110. Mr. SIMMA asked that the Secretariat ensure that the names of the experts mentioned in that part of the report were spelt correctly.

111. The CHAIRMAN took note of that comment.

112. Document E/C.12/1991/CRP.1/Add.11 was adopted.

Review of methods of work of the Committee (E/C.12/1991/SR.24) (continued)

113. The CHAIRMAN referred to the discussion which had taken place at the 24th meeting on the issue and proposed to include the following text in the report under the heading "Non-submission of reports":

> "The Committee expressed its profound concern at the extent to which the reporting obligations undertaken by States parties to the Covenant had not been complied with. It noted that the growing number of States parties that had failed to submit initial reports for 10 or more years, combined with the large number of periodic reports that were 5 or more years overdue, threatened to undermine the foundations of the supervisory arrangements established in the Covenant. It concluded that, in accordance with the relevant resolutions of the General Assembly,

the Economic and Social Council and the Commission on Human Rights, it was essential for appropriate measures to be taken on an urgent basis to address the situation. The Committee thus adopted the following approach to be applied in the first phase in the case of initial reports that are 10 or more years overdue and subsequently in the case of all reports that are 5 or more years overdue:

(a) The Secretary-General is requested to send a note verbale to the States parties concerned inviting them to submit the overdue report(s) as soon as possible.

(b) If the requested report is not received prior to the seventh session of the Committee, the Committee will adopt at its seventh session a schedule for the consideration of the situation relating to the implementation of the Covenant in the country concerned, which will include the two categories of reports referred to above. In the case of initial reports the Committee will base its consideration on all the relevant information available to it in accordance with its established procedures. In the case of periodic reports the basis of the Committee's work would be the most recent report submitted by the State party in question as well as all other relevant information."

114. Mr. KOUZNETSOV approved the Chairman's text. He also considered that it should be emphasized that the submission of reports was an obligatory procedure which States parties had undertaken to respect on signing and ratifying the Covenant. He invited the Chairman to add a sentence to that effect.

115. Mr. NENEMAN supported Mr. Kouznetsov's proposal and suggested replacing the word "inviting" by "urging" in subparagraph (a) of the text which had just been read out.

116. The CHAIRMAN agreed that a sentence incorporating Mr. Kouznetsov's suggestion should be added and said that he would submit its text for approval by the Committee at its next session.

117. It was so decided.

118. Mr. WINER ZAMBRANO, reverting to an idea which had been raised at an earlier meeting, proposed that States parties should be required to reply in writing to written questions addressed to them by the pre-sessional working group. All too often representatives of States parties replied to such questions by improvising and in very general terms.

119. Mr. NENEMAN objected that such a procedure would go against the very spirit of the exchanges between the Committee and States parties, which above all was meant to be a spontaneous dialogue. The role of the representative would be reduced to reading out texts put together in the capital. Moreover, any insistence on written replies might wll increase the workload of States.

120. Mr. SIMMA agreed with Mr. Wimer Zambrano and stressed that the practice of written replies had prevailed up to the present time, although it was true that, in most cases, representatives confined themselves to reading replies prepared in advance. The Committee should, however, receive written replies several days in advance so that it would be in a position to give them more detailed consideration and thus to develop a more effective dialogue. In order to do that, the date of the meeting of the pre-sessional group would have to be brought forward so that the written questions could be translated into the appropriate languages and sent to States in due course.

121. Mrs. JIMENEZ BUTRAGUEÑO agreed with Mr. Simma and emphasized that, if the Committee did not insist that the replies of States were sent in writing sufficiently in advance, there was a risk of nullifying the work of the pre-sessional group. In point of fact, States parties seldom replied specifically to all question raised when their reports were being considered.

122. Mr. WIMER ZAMBRANO said that, although it might be difficult to require written replies immediately, the Committee should draft a concluding observation to that effect at once and inform the Secretariat.

123. The CHAIRMAN suggested that, as a start, the Committee should limit itself to urging States parties to send written replies sufficiently in advance without however making it obligatory, and that a general comment to that effect should be prepared.

124. It was so decided.

Concluding observations: Documents E/C.12/1991/CRP.3 and CRP.3/Add.1 (continued)

125. The CHAIRMAN, referring to the discussion at the previous meeting to which his note on "Issues to be taken into account in formulating concluding observations" (E/C.12/1991/CRP.3) had given rise, recalled that the Committee had not yet decided whether it wished to adopt that text or the version proposed by Mr. Wimer Zambrano (E/C.12/1991/CRP.3/Add.1).

126. Mr. SIMMA, speaking on behalf of several members of the Committee, proposed the following amendments to the Chairman's note: (1) The title proposed by Mr. Wimer Zambrano: "Suggested guidelines for formulating concluding observations" should be adopted; (2) The text of the first paragraph should be replaced by the following: "Indicate the extent to which the written report is satisfactory or unsatisfactory according to the Committee's guidelines"; (3) The first sentence of paragraph 2 should be reformulated to read: "Indicate the extent to which the responses to written questions are satisfactory or unsatisfactory". The second sentence of paragraph 2 and paragraphs 3 to 5, as worded in the Chairman's note, would remain unchanged.

127. The text in document E/C.12/1991/CRP.3, as amended, was adopted.

Chapter I: Draft decisions recommended for adoption by the Economic and Social Council

Draft decision I (E/C.12/1991/CRP.1/Add.9)

128. Mr. SIMMA said that he went along with the text as a whole but wondered whether it made sense to request that an extraordinary additional session should be held "before the end of 1992". It would be practically impossible for the Economic and Social Council, which would meet in July, to authorize the holding of a session within such a short time.

129. Draft decision I, as amended, was adopted.

Draft decision II

130. The CHAIRMAN read out the text of the draft decision entitled "Technical assistance in implementing the International Covenant on Economic, Social and Cultural Rights" which stated:

> "The Economic and Social Council takes note of the decision of the Committee on Economic, Social and Cultural Rights to inform the Government of the Dominican Republic of its offer, in pursuance of article 23 of the International Covenant on Economic, Social and Cultural Rights, to send one or two of its members to advise the Government in relation to efforts to promote full compliance with the Covenant in the case of the large-scale evictions referred to in the Committee's reports. The Council approves the Committee's initiative, subject to the acceptance of the Committee's offer by the State party concerned."

131. Draft decision II was adopted.

Draft decision III: Non-submission of reports by States parties

132. The CHAIRMAN reminded the Committee that it had established a procedure at the current session on the action to be taken in connection with the non-submission of reports. It was his understanding that the Committee wished to adopt a decision which would repeat the terms of the decision which it had taken on the issue at its fifth session (E/1991/23, decision I) in which States that had not even submitted their initial report would be mentioned by name.

133. The proposal by the Chairman was adopted.

Sources of information

134. The CHAIRMAN recalled that, in its report on its fifth session (E/1991/23), the Committee had devoted paragraphs 278 to 281 inclusive to the question of sources of information. He proposed that those paragraphs should be reproduced mutatis mutandis in the Committee's report on its sixth session.

135. It was so decided.

Annexes I, II and III of the report (E/C.12/1991/CRP.2 and Add.1 and 2)

136. Documents E/C.12/1991/CRP.2 and Add.1 and 2 were adopted.

137. The CHAIRMAN recalled, in reply to a question from Mrs. JIMENEZ BUTRAGUEÑO, that the Committee had also decided to annex to its report the discussion note which she had prepared on the problems of the elderly (E/C.12/1991/WP.1/Add.1).

Possible organization of one of the Committee's sessions in a developing country

138. Mr. SIMMA expressed the view that, if there was any organ set up pursuant to an international instrument for the defence of human rights that ought to meet in a developing country, it was certainly the Committee on Economic, Social and Cultural Rights. He therefore asked the other members of the Committee to give some thought to that question and requested the Secretariat to estimate approximately the additional costs that would be entailed.

139. The CHAIRMAN said that similar requests were regularly submitted by the treaty bodies but that the cost of organizing a meeting away from one of the headquarters of the United Nations would usually be prohibitive. He nevertheless proposed that a paragraph should be included in the report in which the Committee would express its conviction that it would be useful to organize one of its future sessions in a developing country and would request States parties and the Secretariat to consider that possibility.

140. It was so decided.

141. Mr. ALVAREZ VITA said that he would also like the Committee to consider the possibility of sending a delegation to a country when the State party failed to respect its obligation to submit reports.

142. The CHAIRMAN thought that the issue should be borne in mind for the future.

143. The report of the Committee to the Economic and Social Council on the work of its sixth session, as a whole, as amended, was adopted.

ORGANIZATION OF WORK (agenda item 4) (continued)

Next session of the Committee - Composition of the pre-sessional working group

144. The CHAIRMAN said that the pre-sessional working group, which would meet before the next session of the Committee, would comprise the following members: Mrs. Bonoan Dandan, Mrs. Jiménez Butragueño or Mr. Simma, depending on the date when the working group would meet, Mr. Konate, Mr. Neneman and Mr. Wimer Zambrano. The Committee had already received reports from the following nine countries: Belarus, Hungary, Italy, Nicaragua, Norway, New Zealand, Poland, the Czech and Slovak Federal Republic and the Union of Soviet Socialist Republics. The Chairman requested each member of the working group to indicate the country for which he would be willing to be responsible for preparing a draft list of questions. He pointed out that draft lists of

questions had already been prepared on the reports of Belarus and the Czech and Slovak Federal Republic but that those drafts would certainly require to be brought up to date.

145. Mrs. BONOAN DANDAN said that she would be responsible for the report submitted by New Zealand.

146. Mr. NENEMAN said that he would take responsibility for the report submitted by Hungary and the Czech and Slovak Federal Republic.

147. Mr. WIMER ZAMBRANO said that he would be responsible for the report submitted by Nicaragua.

148. Mr. SIMMA said that he would take responsibility for the reports submitted by Italy and Poland.

149. Mrs. JIMENEZ BUTRAGUEÑO said that she would be responsible for the report submitted by Belarus for which she had already prepared an initial list of questions. As the understanding was that either Mr. Simma or herself would attend the meeting of the working group, she would like to know how things would work out in practice.

150. Mr. SIMMA said that he would prepare preliminary lists of questions on the reports submitted by Italy and Poland. If Mrs. Jiménez Butragueño participated in the work of the working group, he would send those lists to her. If he himself should participate, Mrs. Jiménez Butragueño could send him her preliminary list of questions on the report of Belarus.

151. The CHAIRMAN suggested that Mr. Konate should be responsible for the reports submitted by Norway and the Union of Soviet Socialist Republics.

152. Mr. KONATE said that he would be responsible for the reports submitted by Norway and the Union of Soviet Socialist Republics.

153. The CHAIRMAN noted that a country rapporteur had therefore been appointed for each of the nine available reports. He emphasized that the draft lists should be ready by 30 March 1992 at latest so that they could be reproduced and translated in time in the event that the meeting of the pre-sessional working group was brought forward to May, June or July. The Secretariat would inform the members of the working group of the exact date of the meeting. Informal exchanges of views between members of the pre-sessional working group would be useful and could be organized.

154. Mrs. JIMENEZ BUTRAGUEÑO stressed that any member of the pre-sessional working group who was unable to attend the meeting should nevertheless submit the documents on the date set.

CLOSURE OF THE SESSION

155. After an exchange of courtesies, the CHAIRMAN declared the session closed.

The meeting rose at 1 p.m.